

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

UNITED STATES OF AMERICA,)	Case No. 19-cr-00696-PAE-1
Plaintiff,)	
)	
v.)	Before U.S. District Court Judge
)	Paul A. Engelmayer
ARI TEMAN,)	
Defendant.)	

**DEFENDANT ARI TEMAN’S EXHIBIT A IN SUPPORT OF HIS MOTION FOR
COMPASSIONATE RELEASE UNDER 18 U.S.C. § 3582(c)(1)(A)**

Shon Hopwood

From: TEMAN ARI (18244104)
Sent Date: Monday, December 18, 2023 12:08 PM
To: shonrhopwood@gmail.com
Subject: Timeline

Hi Shon,

Here is the timeline. Please excuse typos as I am pretty dizzy today. I fell again yesterday afternoon inside the unit. The wooziness is near constant.

10/11 - I file a sick call to medical because I am feeling sick after a night locked in 85-year-old guy's cell who urinated all over his cellie's stuff and there were chemicals poured all over. I specified I was having difficulty breathing and had a pouring headache. I was nauseous and dizzy. The CO even opened the door during lockdown for a few minutes so I could catch my breath, but it was not enough. The 85 yo was taken to the SHU for doing the urinating, so there's a record of it.

10/13 - I email pharmacy seeking my medicated items & prescriptions which I'd brought and was told medical would review. (According to Dr. Chippi on 11/7 they lost my medical items including my prescription medication, my orthotics which keep my spine from compressing -- I have diagnosed degenerative disc disease (Dr. Grigory Brusnovik, Miami))

10/16 - I email medical saying I need my eye drops and shampoo, as I am having pain in my eye where I have small scratches and need the drops (prescribed by the doctor at Bascom Palmer eye hospital). They lost them, as mentioned above.

10/20 - I request a low bunk pass because of my risk of tremors, dizziness, and falling. They put it on my sheet (what guys call a "chrono") but the staff says they do not have any. I have to climb 4-6 times a night because I need the bathroom here every 1-3 hours, and often more frequently -- sometimes a few times per hour -- The ladder is sharp, wobbles, and doesn't go to the ground, so I have to hop to a box that slides around (sometimes the cellie moves it and forgets to put it back, too) and then to the ground. When I am sick, which is most days, this is even tougher to coordinate because of the dizziness / wooziness. I have slipped and fallen a bunch and am concerned about being injured or hitting my head.

There are flies all over the cell because the bathroom is right next to it, there are only 4 toilets and 2 urinals shared by more than 60 men, plus the men from the adjacent unit come into it frequently (and appear to reserve their worst/best work for our bathroom to spare their cellies). There is no soap in the bathrooms for weeks at a time, so everything is covered in sh*t and other bodily fluids...the keyboards, phones, tables, door handles, etc. It is impossible to avoid illness here and I am sick constantly.

At home (a) I don't have the GI and urinary issues I'm having here from the diet, (b) my bed is low to the ground where fall risk is minimal and I can roll out using my arms if my legs go numb (which happens regularly), (c) it is not a public bathroom that is unsanitary and full of urine and fecal matter from 60+ guys.

10/22 - I email the warden, seeking CR, and complain that from 10/11 to 10/20 there was no medical response (you have a copy of this)

11/5 - I email my father that I have fever, shakes -- this remains ongoing and frequent

11/5 - I document that there was a medical call out the previous Friday (the one before 11/5) and there was lockdown so I could not go to medical

11/6 - I file a sick call to medical saying I have fever, chills, shakes, headache, pain, and it feels like I'm going to collapse when I walk. My left leg keeps going numb and losing the ability to hold me up.

(This happens frequently. The left side of my body goes numb, whether I'm sitting or standing or walking. It is

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sudden, and it lasts from a few seconds to minutes. Both times I've fallen on the compound I have lost control of my left leg, my left arm feels numb (and stays numb for hours), and I fall. Inside, I am usually sitting or laying down, but I often cannot get up from my chair for a few minutes because the left side of my body is numb.

11/7 - I fell, threw up food, officers carried me on a stretcher to medical, where I was seen by Nurse Alean and Dr. Chippi. \$2 COPAY ID was ZICP1123. All they did was give me pedialite and Zofran for nausea, and a drug test (urine) and blood sugar test.

Dr. Chippi said it appeared to be side effects remaining from the J&J vaccine injury. (There is a VAERS report and you should have the records from the 4 hospitals and 12 doctors that treated me following this.)

11/9 I email food services complaining that the kosher meals of often full of mold (visible, covering much of the tray), and that there is often melted plastic and broken bits of plastic in the food. This is ongoing, and I bit into broken plastic in the vegetables yesterday and a few days ago, too.

11/12 - I email medical a request for a letter that I have severe intolerances to dairy and wheat, as food services requested. They still have not provided this. On meals where the kosher meal is dairy (cheese omlettes), or full of wheat or dairy (every ingredient in breakfast except the apple), I cannot eat.

As a result I'm averaging about 800-900 calories a day, at-best I get 1200. I have lost over 17 lbs in two months, likely more than 20lbs, but the one scale that sort of worked is even more broken now. There are times I am too hungry to think and go to bed hungry as a result. Commissary is often out of food to supplement, and there is limited quantities you can buy anyway, so even if they had everything in stock it is not be enough to get over 1200-1400 calories per day and certainly not close to 2000.

11/17 - I filed the CR request a 2nd time to the Warden, specifying the medical issues and the falls and lack of prompt care or any treatment

12/2 - Saturday (Shabbat), I fell, was transported to medical, seen by the nurse (female -- I was very dizzy and disoriented and do not recall her name, I'm sorry), and officers Ponce and Williams (I think) were there. They only did blood sugar and drug test, no treatment.

I had felt sick earlier and left services early around 8am (they begin 7am) because I found it difficult to stand, but resting did not help and does not seem to help.

12/2 - I requested a "medical idle" after the second fall, so the COs would let me rest during the day, and the nurse said she'd bring it when she would check up on me "in 2 hours". She never came. The next day she said she "forgot about you" and would bring it, but she didn't. (To my knowledge, I was the only guy rushed on their ambulance go-cart to medical that day, so forgetting that one case is pretty indicative of the medical care here).

The CO's ignored the "medical idle" designation after the fall when Nurse Alean put it on the "chrono", and the CO threatened me with a "shot" if I didn't climb down and stand despite showing him the paper and others explaining I was the guy who fell and was rushed to medical earlier.

The count is always around 10:40-10:45pm, so there's no ability to rest and recover, because they wake us up screaming and with blaring walkie-talkies around 5am. They come in at 3am and 5am and shine bright flashlights into your face in bed, too. I have not slept through the night in two months, which is surely exacerbating much of the inability to recover on top of the existing conditions. At home, I sometimes have to rest for a day or two to recover, but here it's impossible to rest for even two hours without someone waking you up, shouting, or making some other noise.

It's also freezing. The AC is maintained by inmates and it's either far too cold so that with multiple blankets, and wearing clothes and sweats I'm still shivering, or it's broken and you can't breathe, but usually it's freezing.

12/5 - I made clear to the nurse that religiously I cannot take redundant tests of puncture my skin when it is not medically necessary because they'd just did some of the blood tests she listed a few days before (blood sugar, for example) and she advised me to reject the tests saying they were not medically necessary ("they are not to help you") and said she would ask the doctor to put in a new order with just medically necessary tests.

I asked again, both in-person in medical and via Trulincs for the doctor (Alarcon) to re-order the tests but only the

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specific ones needed related to falling and dizziness, and not additional punctures, cuts, etc for religious reasons.

12/6 - Pastor R. Hostler also conveyed via email to Dr. Chippi, Dr. Alarcon, CM Kost that (a) I cannot be given medically unnecessary punctures or cuts (no redundant tests they or another doctor already did/diagnosed, etc.) per Jewish religious beliefs and law. He cited the Torah chapter and verse, too (he read the email aloud to me, but I did not see it), and (b) conveyed in a 2nd email to CM Kost that he witnessed the fall on Saturday. I was so dizzy that I did not even recall he was there until he mentioned it.

To-date: Following the Pastor's and my request that they only order medically necessary tests, they did not order any of the previous tests.

12/15 through 12/16 - I was too sick to go to services and stayed in bed most of the day except to use the bathroom, which is frequent.

12/17 - In the afternoon, after visit (where I needed Pepto bismol just to sit through the visit b/c of constant diarrhea the day before and morning of), I fell in the unit. The computers were down (since Thursday afternoon!) and it was lockdown, and education was closed all day (the only computers we could use alternatively) so it was impossible to request a medical call out.

Given the prior responses, I think it's urgent to be seen by my outside doctors because I keep falling and the dizziness is getting more frequent and intense and pedialite is not the solution (the sugar in it may actually make the inflammation worse).

I am having memory issues, breathing issues at night, waking up unable to breathe, and am constantly having terrible GI issues both diarrhea and gas (not helpful at 2am and 4am to have to keep climbing down a ladder, dizzy, and to cover the disgusting toilet seat, etc. and it's a few times last night and few the past weeks...I'm exhausted and don't know how much more of this I can take).

Even though the CM Kost says I should be out by Feb 1, I do not feel safe from falling because it's all hard surfaces around here and I'm high off the ground in a bed with no safety railing, and am getting sicker each day so please let's file and hope, G-d willing, the judge is compassionate and agrees to let me go home and be seen by my doctors who have helped in the past and to be off this diet that's making things much worse.

I'm going to go back to bed but will check later for updates. Thank you for your help.

Thank you
Ari